

REMARKS

Review and reconsideration on the merits are requested.

DETAILED ACTION

Election/Restrictions

The Examiner is correct.

Priority

Applicants appreciate the Examiner acknowledging receipt of the priority papers.

Information Disclosure Statement

Applicant have filed copies of the International Search Report and the Supplementary European Search Report. The International Search Report lists JP 10-262690, JP 64-106713 and JP 60-153778 as category "Y" references and JP 2003-102821 as a category "PA" reference. These four references were crossed off the IDS filed April 28, 2005.

The Supplementary European Search Report was filed with the IDS of September 6, 2006, and a Beyer reference was listed. In the Supplementary European Search Report, this is listed as a category "X" reference.

The Examiner's attention is directed to MPEP 609.04(a), Rev. 5, Aug. 2006 at pages 600-153 and 600-154. That provides:

Where the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the Search Report or action which indicates the degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly

relevant, to which claims it applies, **or merely an “X”, “Y” or “A” indication on a search report.**

Since the Supplementary European Search Report is in English, the Examiner is respectfully requested to consider the Beyer reference. Further, since the International Search Report is really straight-forward with respect to the categories of the four JP references, the Examiner is also requested to consider the same.

Clean PTO/SB/08 forms are in the process of being submitted listing these documents.

Specification

The first few pages of the specification were checked and the specification appears to be so nicely prepared that further checking was not done.

If the Examiner feels appropriate, however, this can be done.

The Prior Art

U.S. Patent 2,875,769 Rosmarin et al (Rosmarin); U.S. Patent 6,190,891 Echigo et al (Echigo).

The Rejections

Claims 1, 6, 8 and 9 under 35 U.S.C. § 102(b) as anticipated by Rosmarin. Paragraph 8.

Claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over Rosmarin. Paragraph 12.

Claims 1-3, 5 and 6 under 35 U.S.C. § 103(a) as being unpatentable over Echigo.

The Examiner's position is set forth in the Action and will not be repeated here in detail.

Applicants traverse and amend.

They amend to the amino acids disclosed at page 5, last line to page 6, line 4, of the specification. The specification at page 6, lines 8-11 discloses that the amino acids may be used solely or as a mixture of two or more of them.

Rosmarin does not disclose the above amino acids.

Echigo does not disclose amino acids.

Applicants request withdrawal of the rejections.

Applicants add a new method claim directed to a deodorizing method and claims dependent therefrom.

They basically combine claims 1 and 8, including the limits in the specification at page 45, line 16-23.

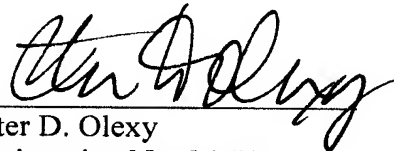
They depend claim 9 on the new method claim (claim 11) and add claims depending on claim 11 and claim 12 which correspond to claims 2-6.

Withdrawal of all rejections and allowance is requested.

Claim 11 finds support at page 1, lines 22-29 for using an malodor component. Otherwise claim 11 parallels claim 1.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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